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9 SFPP, L.P., KINDER MORGAN OPERATING L.P. "D,"  
and KINDER MORGAN G.P., INC.

10 UNITED STATES DISTRICT COURT  
11 CENTRAL DISTRICT OF CALIFORNIA  
12

13 In re SFPP Right-of-Way Claims

Case No. 8:15-CV-00718-JVS-DFM

14 **JOINT STATEMENT IN RESPONSE TO**  
15 **THE *ELPIDIO* PLAINTIFFS' MOTION**  
16 **TO APPOINT INTERIM CLASS**  
**COUNSEL**

17 Judge: Hon. James V. Selna  
18 Date: November 9, 2015  
Time: 1:30 p.m.  
Courtroom: 10C

1 Defendants SFPP, L.P., Kinder Morgan Operating L.P. “D,” and Kinder  
 2 Morgan G.P., Inc. (collectively, “Kinder Morgan”) and Defendant Union Pacific  
 3 Railroad Company (“Union Pacific”) (collectively, “Defendants”) hereby submit  
 4 this statement regarding the *Elpidio* Plaintiffs’ Motion to Appoint Interim Class  
 5 Counsel. (Dkt. No. 88.)

6 Defendants do not object to appointment of lead putative class counsel for  
 7 purposes of efficiency. Defendants do not take a position as to the adequacy of  
 8 Plaintiffs’ counsel at this time, and reserve the right to do so in the future.  
 9 Defendants also reserve the right to oppose any request for attorney’s fees on any  
 10 basis, including whether the work performed was reasonable or necessary.

11 Dated: November 2, 2015

COOLEY LLP

13 /s/ Summer J. Wynn

14 Summer J. Wynn (240005)

15 Attorneys for Defendants  
 16 SFPP, L.P., KINDER MORGAN  
 OPERATING L.P. “D,” and KINDER  
 MORGAN G.P., INC.

17 Dated: November 2, 2015

SHOOK, HARDY & BACON L.L.P.

19 /s/ Tammy B. Webb

20 Tammy B. Webb (227593)

21 Attorneys for Defendant  
 22 UNION PACIFIC RAILROAD  
 COMPANY

**FILER'S ATTESTATION**

Pursuant to Civil Local Rule 5-4.3.4(a)(2)(i), the undersigned attests that all signatories listed have concurred in the filing of this document.

Dated: November 2, 2015

COOLEY LLP

/s/ Summer J. Wynn

Summer J. Wynn (240005)

Attorneys for Defendants  
SFPP, L.P., KINDER MORGAN  
OPERATING L.P. "D," and KINDER  
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